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BY ECF

Hon. Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *In re: New York City Policing During Summer 2020 Demonstrations No. 20-CV-8924 (CM) (GWG); This Motion Relates to Gray v. City of New York, 21-cv-6610 (CM)(GWG), Hernandez v. City of New York, 21-cv-07406-CM (CM)(GWG); and Rolon v. City of New York, 21-cv-02548 (CM) (GWG)*

Dear Judge Gorenstein:

We are counsel to the Police Benevolent Association (“PBA”). We write to submit a proposed order, in response to the proposed order filed by plaintiffs in consultation with the City Defendants (Dkt. No. 665).

The proposed order excludes the PBA (and other union intervenors) from the materials that plaintiffs are to share with the City defendants under Point B of the Order (“a list of topics and case law they plan to cover in the deposition and certain exhibits they may use, without prejudice to amendment or supplementation at the time of deposition”). We informed counsel that the PBA objects to excluding it from this information, which is inconsistent with its status as a party and its right to fully participate in these depositions.

As plaintiffs have submitted the proposed order without addressing these concerns, we submit the PBA’s proposed counter-order herewith, in a clean version and a version tracking changes.

Respectfully,



Thomas A. Kissane

Copies To:

All counsel in Consolidated Actions (via ECF).